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ATTORNEY DOCKET NO.: SCRIP1300-3

EXPRESS MAIL Number: EL 617 042 690 US

Date of Deposit: August 24, 2001

I hereby certify that this paper is being deposited with the United States Postal Service "EXPRESS MAIL Post Office to Addressee" service under 37 CFR § 1.10 on the date indicated above and is addressed to BOX PATENT APPLICATION, Commissioner of Patents and Trademarks; Washington, DC 20231.

ALDON GRIFFIS

(Name of Individual Depositing with P.O.)

Aldon Griffis
(Signature of Individual Depositing with P.O.)

J1036 U.S. PTO
09/938842
08/24/01

ATTN: BOX PATENT APPLICATION
THE COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

Sir:

Transmitted herewith for filing is the new provisional-to-utility patent application of:

APPLICANTS: Jeffrey F. Harper, Joel Kreps, Xun Wang and Tong Zhu

FOR: STRESS-REGULATED GENES OF PLANTS, TRANSGENIC
PLANTS CONTAINING SAME, AND METHODS OF USE

Enclosed are the following papers, including all those required to receive a filing date under 37 CFR § 1.53(b):

Number of Pages

Transmittal Under 37 CFR. 1.52(e)	2
Statement Under 37 CFR §§ 1.821(f)	1
Specification	205
Claims	18
Abstract	1
Declaration – (Unsigned)	4
Drawings – (Formal)	0
CDR Disks	3 (Disks)

SILICON VALLEY SAN DIEGO SAN DIEGO/GOLDEN TRIANGLE SAN FRANCISCO AUSTIN SEATTLE SACRAMENTO LA JOLLA

Gray Cary\GT\6253834.1
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J1129 U.S. PTO

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 Box PATENT APPLICATION
 August 24, 2001
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Enclosure:

- Return Receipt Postcard

The filing fee has been calculated as shown below: Small Entity status is claimed.

	Number Filed		Number Extra		Rate			Fee	
					Large Entity	Small Entity		Small Entity	Large Entity
Total Claims	79 -20	=	59		\$18	\$09	=	\$0	\$1,062
Independent Claims	12 -3	=	9		\$80	\$40	=	\$0	\$720.00
Multiple Dependent Claims Presented: ___ Yes <u>X</u> No					\$270	\$135			\$0.00
					BASIC FILING FEE			\$355	\$710.00
					TOTAL FEE			\$0	\$2,492

PLEASE DEFER THE PAYMENT OF THE FILING FEE until the executed Declaration is filed.

If this application is found to be INCOMPLETE, or if a telephone conference would otherwise be helpful, please call the undersigned at (858) 677-1496.

All future correspondence should be addressed to:

Lisa A. Haile, J.D., Ph.D.
 GRAY CARY WARE & FREIDENRICH LLP
 4365 Executive Drive, Suite 1600
 San Diego, CA 92121-2189
 Telephone: (858) 677-1456
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GRAY CARY WARE & FREIDENRICH LLP

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Page 3

A copy of this letter is enclosed. Kindly acknowledge receipt of this application by returning the enclosed postcard.

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP


Lisa A. Haile, J.D., Ph.D.
Registration No. 38,347

August 24, 2001
Date

Enclosure
LAH/RJI:ag

Gray Cary\GT\6253834.1
740166-43

Express Mail No: EL 617 042 690 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of : Harper et al.

Art Unit: Not yet assigned

Serial No: Not yet assigned

Filed: August 24, 2001

For: STRESS-REGULATED GENES OF PLANTS, TRANSGENIC PLANTS CONTAINING
SAME AND METHODS OF USE

Examiner: Unknown

Transmittal Letter under 37 C.F.R. 1.52(e)

August 24, 2001

Assistant Commissioner for Patents
Box Patent Application
Washington, DC 20231

Submitted along with the above referenced application and incorporated by reference therein are three CD-R compact discs labeled "Copy 1", "Copy 2" and "CRF." As required by 37 C.F.R. 1.52(e), Applicants herein provide the following information for each disc.

Disc labeled "Copy 1"

Machine format: IBM-PC

Operating system compatibility: MS-Windows

Files:

File Name: SCRIP1300-3_SEQUENCE_LISTING

File size: 9,972 KB

Date created: 8/20/2001

File type: Text Document

File Name: SCRIP1300-3_Table_32

File size: 1,251 KB

Date created: 8/20/2001

File Type: Text Document

for "copy 1" and "copy 2"

Disc labeled "Copy 2"

Machine format: IBM-PC

Operating system compatibility: MS-Windows

Files:

File Name: SCRIP1300-3_SEQUENCE_LISTING

File size: 9,972 KB

Date created: 8/20/2001

File type: Text Document

File Name: SCRIP1300-3_Table_32

File size: 1,251 KB

Date created: 8/20/2001

File Type: Text Document

Disc labeled "CRF"

Operating system compatibility: MS-Windows

Files:

File Name: SCRIP1300-3_SEQUENCE_LISTING

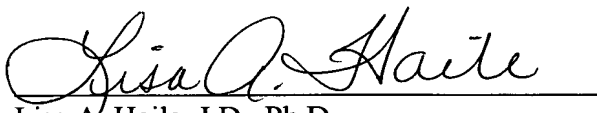
File size: 9,972 KB

Date created: 8/20/2001

File type: Text Document

Respectfully submitted,

GRAY CARY WARE & FREIDENRICH LLP



Lisa A. Haile, J.D., Ph.D.

Registration No. 38,347

August 24, 2001

Date

Enclosure

LAH/RJI:ag

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Harper *et al.* Art Unit: Unknown
Application No.: To be assigned Examiner: Unknown
Filed: Herewith
Title: STRESS-REGULATED GENES OF PLANTS, TRANSGENIC
PLANTS CONTAINING SAME, AND METHODS OF USE

Commissioner for Patents
Washington, D.C. 20231

STATEMENT UNDER 37 C.F.R. §§ 1.821(f)

Sir:

I hereby state, as required by 37 C.R.F. § 1.821(f), that the Sequences on the CD-R compact disc labeled as "C.R.F." are identical to the Sequences on the CD-R compact discs labeled as "Copy 1", and "Copy 2".

I hereby state that information recorded in computer readable format (CRF) is identical to the sequence listing contained in the compact discs submitted with and incorporated by reference into the above reference application as a file entitled "SCRIP1300-3_SEQUENCE_LISTING."

Respectfully submitted,

Date: 8/24/01

Lisa A. Haile

Lisa A. Haile, Ph.D.

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San Diego, CA 92121-2189

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Aldon Griffis (TYPED OR PRINTED NAME OF PERSON MAILING PAPER)	<u>Aldon Griffis</u> (SIGNATURE OF PERSON MAILING PAPER OR FEE)